

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shigeto KAWAI et al.

Title: THERAPEUTIC AGENTS FOR SOLID TUMORS

Appl. No.: 10/574,860

Filing Date: 04/06/2006

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

Documents A1-A8 listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language abstract for both documents A2 and A4 is provided. In addition, English-language documents A3 and A5, which correspond to documents A2 and A4 are provided.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9/5/2006

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| Substitute for form 1449B/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Application Number | 10/574,860 |
| Date Submitted: September 5, 2006 <i>(use as many sheets as necessary)</i> | | | | Filing Date | 04/06/2006 |
| | | | | First Named Inventor | Shigeto KAWAI |
| | | | | Group Art Unit | Unassigned |
| | | | | Examiner Name | Unassigned |
| Sheet | 1 | of | 1 | Attorney Docket Number | 053466-0414 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|---|--|
| | | Number | Kind Code ² (if known) | | | |
| A1 | 2003/0045691 | A1 | ONO, et al. | | 03-06-2003 | |
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UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Application Document | | Name of Patentee or Applicant of Cited Document | Filing Date of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------------------|-----------------------------------|---|---|--|
| | | Serial Number | Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|-------------------------|---------------------|--------------------------------------|--|---|--|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| A2 | WO | 02/064159 | A1 | Chugai Seiyaku Kabushiki Kaisha | 08-22-2002 | Corresponds to A3 | A | |
| A3 | EP | 1 364 657 | A1 | Chugai Seiyaku Kabushiki Kaisha | 11-26-2003 | | | |
| A4 | JP | 10155494 | A | Chugai Pharmaceut Co Ltd | 06-16-1998 | Corresponds to A1 | A | |
| A5 | WO | 2004/039398 | A1 | Chugai Seiyaku Kabushiki Kaisha | 05-13-2004 | | | |

NON PATENT LITERATURE DOCUMENTS

| | | | |
|--------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
| A6 | OZAKI, et al., "Localization and Imaging of Human Plasmacytoma Xenografts in Severe Combined Immunodeficiency Mice By a New Murine Monoclonal Antibody, Anti-HM1.24", Tokushima J. exp. Med, Vol. 43, pp. 7-15 (1996) | | |
| A7 | SHIKU, H., "Antibody therapy for cancer", Second Department of Internal Medicine, Mie University School of Medicine, Vol. 20, No. 6 (2002) | | |
| A8 | TREON, et al., "Immunotherapeutic Strategies for the Treatment of Plasma Cell Malignancies", Chemical Abstracts, Seminars in Oncology, Vol. 27, No. 5, pp. 598-613 (2000) | | |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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